

REMARKS

Claims 1-10, 30, and 31 are currently pending. Claims 1 and 3 have been amended; however, no new matter has been introduced. Claims 11-29 have been withdrawn. Applicants reserve their right to pursue this subject matter in a continuing application.

Objections

The Examiner objected to claim 31 because it depends on withdrawn claim 19. Claim 31 was has been amended to incorporate the limitations from the withdrawn claims from which it previously depended (claims 11 and 19).

Specification

In the specification, applicants have provided a reference to the priority of the US provisional application and to the foreign priority of the French application. Applicants enclose herewith a certified copy of the French priority application.

Rejection of claims under 35 U.S.C. § 112, second paragraph

Claims 1-4, 10, 30 and 31 are rejected under 35 U.S.C. § 112, second paragraph, for allegedly being indefinite. Applicants respectfully traverse.

(1) Claims 1 is rejected under 35 U.S.C. § 112, second paragraph, for containing the trademark name: Carbopac™ column. Claim 1 was amended to define Carbopac™ column by its full definition and remove the trademarked name. Support for the definition of Carbopac™ column can be found at page 11, lines 15-23, of the specification.

(2) Claims 1 and 3 are rejected under 35 U.S.C. § 112, second paragraph, for allegedly being vague and indefinite; i.e., for containing the terms “lacking a peak” and “lacking a resonance”. Applicant clarified claims 1 and 3 and deleted the terms “lacking a peak” and “lacking a resonance”.

For the foregoing reasons, withdrawal of the rejection based on 35 U.S.C. § 112, second paragraph, is respectfully requested.

Rejection of claims under 35 U.S.C. § 103(a)

Claims 1-10, 30 and 31 are rejected under 35 U.S.C. § 103(a) for allegedly being obvious over Moreau (US Pat. No. 6,596,861, "Moreau") and Jansson *et al.* (1984) ("Jansson"). Applicants respectfully traverse the rejection.

Moreau is prior art only under 35 U.S.C. § 102(e). The present application and Moreau were, at the time the invention of the present application was made, owned by Aventis Pasteur, S.A. Thus, Moreau is disqualified as prior art under 35 U.S.C. § 103(c) in a rejection under 35 U.S.C. § 103(a) (please see MPEP 706.02(I)(2)(II) Evidence required to establish common ownership). Applicants respectfully request the withdrawal of the rejection based on 35 U.S.C. § 103(a).

In view of the foregoing amendments and remarks, the applicant submits that the claims are in condition for allowance, which is respectfully solicited. If the examiner believes a teleconference will advance prosecution, he is encouraged to contact the undersigned as indicated below.

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Respectfully submitted,

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